

HERRIMAN CITY PLANNING COMMISSION MEETING MINUTES

Thursday, December 17, 2015 Approved January 7, 2016

<u>6:06:05 PM</u> **6:00 P.M.** ~ Work Meeting (Open to the Public)

Attendance

Planning Commission Members:

Chris Berbert Blayde Hamilton Adam Jacobson Clint Smith

Council Members: Coralee Wessman-Moser, Mayor Freeman

City Staff: Bryn McCarty, City Planner

Sandra Llewellyn, Planner I Heather Upshaw, Senior Planner Gordon Haight, Assistant City Manager

Blake Thomas, City Engineer

♣ <u>6:06:35 PM</u> Marble; 12609 S 6000 W

Senior Planner, Heather Upshaw oriented the commission with the location of the property. The owner would like to subdivide the front piece of the property. There is an existing private drive that two other lots access. Staff explained the current ordinance and added that if another lot were to be added to this property the access would need to be off Pioneer. Two lots access off of the flag lot and current city ordinance does not allow more than one. There is an option to access an additional lot off of Pioneer. A brief discussion amongst commission and owner ensued.

♣ 6:15:15 PM Verizon Wireless (Pete Simmons)

City Planner, Bryn McCarty asked the applicant if they had met with the water department. The response was yes and meetings had taken place with owners and engineers as well. He requested input for a stealth design monopole in a new area of the city. The pole could be 60 feet. He briefly reported on the monopole by the High School and explained that pole is still moving forward. The stealth design preference was for a water tower and the preference was a maximum height of 60 feet for this location next to residential.

♣ <u>6:26:19 PM</u> Anthem Commercial Design Book

The Anthem commercial design book was discussed at a joint work meeting and some changes were made. The applicant presented to staff a different direction from the previous discussions. The developer is working on a project that had a design scheme that they would like to propose in Herriman, to stand out a little bit. A draft was presented and input was suggested. The look was termed industrial with metal and concrete it was not considered a modern look. The colors will be earth colors. Commissioners were open to see more.

♣ 6:31:28 PM Review of Agenda Items

- 2.1 & 2.2 Edge Homes Proposed Single Family Subdivision & Final PUD Approval. The applicant had moved lots completely out of the Rocky Mountain Power corridor. It was noted that regarding the alignment of the road, it does need to line up or be way off. The residents would prefer the roads to be further apart. The applicant wanted the commission to know that there isn't really a need for the road. 2.3 Edge Homes Final Master Plan Approval for Condos and Single Family Lots. Commissioner Adam Jacobson voiced support of the plan.
- 2.4 & 2.5 Murdock Commercial Buildings. There are two commercial building lots. The buildings are basically the same; one has a drive-through. The applicant will present a material board.
- 2.6 NovaSource Retail Building. The proposal will be in the Town Center next to Popeye's. It has four tenants with a drive- through on the end. The applicant will present a material board. A brief discussion about access for the property took place.
- 2.7 & 2.8 Tim Soffe Townhomes, Courtyard Units, Stacked Flats and Commercial. A new plan was distributed amongst the commission. Tim Soffe explained that he was happy to include more commercial and more space for parking. He briefly described the plan. The units will be four stories high. All units have two car garages. A discussion about on-street parking and public roads took place.
- 2.9 JLF Investments Single Family Lot. The lot is one acre and the applicant would like to subdivide it in half. It is a flag lot and does not meet the current ordinance.
- 2.10 RDM Land & Development CCR's Approval. The CCR's for the Ridge Subdivision were briefly reviewed.

Meeting adjourned 7:00:50 PM

7:08:06 PM 7:00 P.M. ~ Regular Planning Commission Meeting

Attendance

Planning Commission Members:

Chris Berbert Blayde Hamilton Adam Jacobson Clint Smith

Council Members: Coralee Wessman-Moser, Mayor Freeman

City Staff: Bryn McCarty, City Planner

Sandra Llewellyn, Planner I Heather Upshaw, Senior Planner Cindy Quick; Deputy Recorder

1. GENERAL BUSINESS:

Chair Clint Smith welcomed those in attendance.

1.1 <u>7:08:27 PM</u> Reverence / Thought: Brandon Watson

1.2 7:08:59 PM Pledge of Allegiance: Brad Carter

1.3 7:09:36 PM Roll call: Full Quorum, Jeramy Burkinshaw, Jessica Morton, Robyn Shakespear and

Wade Thompson absent

1.4 7:10:20 PM Approval of Minutes for: December 3, 2015

Commissioner Blayde Hamilton **MOVED** to approve the minutes for December 3, 2015.

Commissioner Chris Berbert **SECONDED** the motion.

The voting was unanimous.

Vote passed. Motion carried.

Chair Clint Smith reviewed the public comment policy and procedure.

2. <u>Administrative Items:</u>

Administrative items are reviewed based on standards outlined in the ordinance. Public comment is taken on relevant and credible evidence regarding the applications compliance with the ordinance.

2.1 <u>7:12:04 PM</u> 32S15 – Edge Homes – 6400 W Herriman Parkway – Proposed Single Family Subdivision – Zone: R-2-10 – Acres: 38.23 – Units: 104 (PUBLIC HEARING held on December 3, 2015)

City Planner, Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. In regards to the question about the Rocky Mountain Power corridor and the lots there, the applicant shifted the lots 10 feet outside of the corridor. They also added a drainage swell/ditch with access for maintenance. The roads in this subdivision need to line up with the neighboring subdivision or be offset for traffic reasons. The public hearing was held last week.

Brandon Watson (applicant), Edge Homes, 11094 S. Broadway Rd, South Jordan, explained that there was additional square footage added to the Rocky Mountain power easement. The easement has been taken out of the lots and the swell on the south is now 20 feet wide which would allow for swell and maintenance road. Regarding the alignment of the road, the plan was to work with engineering to figure out the best option. The road can also be eliminated all together because there are two accesses already.

Planning Commission members noted that working with engineering for the road alignment would be acceptable and they also liked the option of the road being eliminated all together. The size of the road and landscaping requirements were discussed.

Commissioner Blayde Hamilton **MOVED** to continue this item to an unknown date. Commissioner Adam Jacobson **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton Yes
Commissioner Chris Berbert Yes
Commissioner Adam Jacobson Yes
Chair Clint Smith Yes

Vote passed. Motion carried.

2.2 <u>7:22:41 PM</u> 42C15 – Edge Homes – 6400 W Herriman Parkway – Final PUD Approval Zone: R-2-10 – Acres: 38.23 – Units: 104 (Continued from December 3, 2015)

Commissioner Blayde Hamilton **MOVED** to continue this item to the next meeting on January 7, 2015.

Commissioner Adam Jacobson **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton Yes
Commissioner Chris Berbert Yes
Commissioner Adam Jacobson Yes
Chair Clint Smith Yes

Vote passed.

Motion carried.

2.3 <u>7:24:00 PM</u> 44C15 – Edge Homes – 5000 W Herriman Rose Blvd – Final Master Plan Approval for 110 Condos and 8 Single Family Lots – Zone: MU-2 – Acres: 7.68 – Units: 118 (Continued from December 3, 2015)

City Planner, Bryn McCarty reminded the commission that at the last meeting the subdivision was approved but there were questions regarding parking and garbage placement. A plan was shown illustrating the garage with a car and garbage can inside. Three different building elevations were also shown and approval of those elevations was requested.

Matt Watson explained that there are 11 buildings overall and the color schemes would be spread evenly throughout the development. Jared Nichols, Edge Homes confirmed what was said regarding the building elevations.

Commissioner Adam Jacobson thanked the applicant for providing the illustration.

Commissioner Adam Jacobson **MOVED** to approve the item with staff recommendations.

Commissioner Chris Berbert **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton Yes
Commissioner Chris Berbert Yes
Commissioner Adam Jacobson Yes
Chair Clint Smith Yes

Vote passed.

Motion carried.

2.4 <u>7:28:10 PM</u> <u>47C15</u> – Murdock – 13322 S Rosecrest Rd, Lot 8 – Proposed Commercial Building Zone: C-2 – Acres: .94

Item 2.4 and 2.5 were discussed together. Senior Planner, Heather Upshaw oriented the commission with an aerial map, site plan and other images prepared. The eight lot subdivision was approved earlier this year. The applicant is proposing two buildings; one was 8,800 sq feet and the other one was 9,300 sq feet. Building elevations were shown and did meet the ordinance of rock/brick/stone. The parking ordinance was met as well.

Brad Lasater (applicant), 216 N Redwood Rd, North Salt Lake, was looking forward to getting started. The building on lot 6 will be fully occupied and they are still working on tenants for lot 8. There will be four tenants will for lot 6 and possibly four tenants for lot 8. Mr. Lasater was not aware of the need for a material board. He will bring it back at a later date.

Commissioner Chris Berbert wanted to see a materials board. Chair Smith is excited for the development and felt it had a lot of potential and commercial value. Commissioner Blayde Hamilton felt the same way.

Commissioner Blayde Hamilton **MOVED** to approve the item with staff recommendations and modify number six to have the material board come back.

Commissioner Chris Berbert **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton Yes
Commissioner Chris Berbert Yes
Commissioner Adam Jacobson Yes
Chair Clint Smith Yes

Vote passed. Motion carried.

2.5 <u>7:33:15 PM</u> <u>48C15</u> – Murdock – 13356 S Rosecrest Rd, Lot 6 – Proposed Commercial Building Zone: C-2 – Acres: .87

Commissioner Chris Berbert **MOVED** to approve the item with adjusting six to have them bring back building elevations for approval at a later date.

Commissioner Adam Jacobson **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton Yes
Commissioner Chris Berbert Yes
Commissioner Adam Jacobson Yes
Chair Clint Smith Yes

Vote passed. Motion carried.

2.6 <u>7:34:03 PM</u> 49C15 – NovaSource Sunwest, LLC – 5136 W 13400 S, Lot 5 – Proposed Retail Building Zone: MU-2 – Acres: .97

Senior Planner, oriented the commission with an aerial map, site plan and other images prepared. The building does not need to meet the 60% rock/brick/stone ordinance because it is contingent upon the development agreement already in place. The applicant presented a material board. It also met the parking ordinance.

Brad Carter (applicant), NovaSource, 32 W. Fire Clay Ave, Murray, noted that there was a section on the plant that was carved out because it was owned by the LDS church. That section has now been deeded to them (lot 5 and the parcel had been combined). He felt excited about the project being the last parcel (lot five) deeded out. He commended Herriman Town Center and noted that they've been great to work with. Their submittal package had been approved and they were anxious to move forward.

Commissioner Chris Berbert asked about the north side of the lot and whether or not there will be a road coming off of Market Place. The response was that it will be pushed all the way through to 5200 W which will provide an additional ingress, egress point for the development.

Commissioner Adam Jacobson questioned how the engineering requirements were written. He requested it to say 'provide a cross access with adjacent users' instead of 'work with.' Matt Watson, CC Communities explained that the access easements are already platted. He described the cross access easements presently in place. There will be more that needs to be constructed in order to get to 5200 W and the buildings behind the development will trigger that extension/connection.

Chair Smith reported being excited for additional construction on one of the last lots there. Commissioner Chris Berbert was concerned with not having a back access road. Mr. Watson explained that the proposal will add a connection from Popeye's to Market Place Drive which satisfied Commissioner Berberts concern.

Commissioner Blayde Hamilton **MOVED** to approve the item with staff recommendations.

Commissioner Adam Jacobson **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton Yes
Commissioner Chris Berbert Yes
Commissioner Adam Jacobson Yes
Chair Clint Smith Yes

Vote passed. Motion carried.

2.7 <u>7:44:29 PM</u> <u>36S15</u> – Tim Soffe – 14199 S 4800 w – Proposed Subdivision of Townhomes, Courtyard Units, Stacked Flats and Commercial – Zone: MU-2 – Acres: 37.32 – Units: 501 (PUBLIC HEARING)

Chair Smith explained that item 2.7 and 2.8 would be discussed together. City Planner, Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. Zone MU-2 was a master plan approval and subdivision approval. The plan submitted was shown. They were required to have 30% split between residential and commercial. One side of the split did not meet the 30% and so they increased that side to meet the requirement.

Tim Soffe & Corey Solum, Think Architecture, 5151 S 900 E, showed a revised plan because of the failure to meet the commercial area size. The area had eight acres before and with the change there was 11 acres. He explained that the change had helped them with planning out the topography, to separate the product types and give a buffer from one to another. He described that there will be a bottom level parking portion and three levels of living on top. He felt encouraged that Salt Lake Community College will be coming sooner rather than later. He noted that they will revise the parking and will have cross sections and unit plans. There will be generous open space with a park.

Chair Clint Smith reported appreciation of the changes seen and how concerns had been addressed. He noted that the plan is better than how it started. Mr. Soffe agreed and mentioned that the more they work it over the better it gets. They wanted it to be the premier product of this type.

Corey Solum gave an architectural walk through. There are three project types. Townhome type unit will be three and four plex buildings with more exterior units and open space. Courtyard units would face a well landscaped court yard. The mixed use portion will be four story units with ample parking. There would also be a large amount of commercial/retail space. Images to illustrate the courtyard building type were shown. Two story unit with two car garages and 950-1,250 square feet. Images to illustrate the townhome buildings were shown. The townhomes would be either three or four plex buildings with a two car garage and vaulted ceilings; masters on the main level and three or four bedrooms. Images of the commercial phase and amenities were shown. There will be basements in the courtyard and townhome units. Retail would be small businesses such as ice-cream shops, sandwich shops or clothing shops.

8:00:43 PM Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

Jessica Davenport, Assistant Facilities Manager of Salt Lake Community College, announced ownership of the property to the southeast of the development; approximately 90 acres. They have adopted a master plan for a future campus. They would like to talk to the applicant to make sure the access points match up and will not conflict.

8:02:17 PM Chair Smith closed the public hearing.

Chair Smith turned to the commission for further discussion and requested feedback for the applicant when they come back. He felt the plan was improved and was encouraged that there will be basements in the units. He thanked Ms. Davenport, representative from Salt Lake Community College, for being at the meeting. He was excited for the potential in the area. Commissioner Chris Berbert noted concern with access on the south side of the pool. He did not want the commercial parking area being used for pool access.

Commissioner Adam Jacobson MOVED to continue the item without date.

Commissioner Chris Berbert **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton Yes
Commissioner Chris Berbert Yes
Commissioner Adam Jacobson Yes
Chair Clint Smith Yes

Vote passed. Motion carried.

2.8 <u>8:05:17 PM</u> <u>45C15</u> – Tim Soffe – 14199 S 4800 w – Final Master Plan Approval of Townhomes, Courtyard Units, Stacked Flats and Commercial – Zone: MU-2 – Acres: 37.32 Units: 501

Commissioner Adam Jacobson **MOVED** to continue the item without date.

Commissioner Chris Berbert **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton Yes
Commissioner Chris Berbert Yes
Commissioner Adam Jacobson Yes
Chair Clint Smith Yes

2.9 <u>8:05:40 PM</u> <u>37\$15</u> – JLF Investments LLC – 14353 S Hillsdale Lane – Proposed Single Family Lot Subdivision – Zone: A-.25 – Acres: .97 – Units: 2 (PUBLIC HEARING)

City Planner, Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. The proposed subdivision would be for an existing flag lot with access off of Hillsdale Lane. The applicant would like to subdivide and create half acre lots. The access would be off of Hillsdale Lane; with one access off of a driveway that is used by two other lots. Staff recommended denial because it does not meet the new flag lot ordinance.

Alicia Davis (representing applicant), 4343 W. Park Hollow Lane, Riverton, reported that the area has been a notorious trouble spot. Development to the west has created a drainage problem, washing out the road and residents have had a difficult time getting to their homes. The previous resident was collecting garbage and dumping it, not only on his property but on surrounding properties. The northwest neighbor has a lot of debris, as well. A manufactured home has been taken down. Ms. Davis offered that it was the applicant's desire to create a solution for all the neighbors in the area. They would like to be an asset to the community. She reported several planned improvements: debris removal, clearing up water issues, moving a detached garage and removing a retaining wall. The driveway will be cleaned up to the property line and contributions to the structure for sewage. They also plan to help with drainage and flooding problems. She reiterated that they want to be a solution. She divulged that the current access is already against the ordinance and asked for a variance to create a solution.

8:12:50 PM Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

Joe Egbert, 12781 S. 6000 W., owner of property adjacent to the development. He owns the driveway that they provides access. He noted that his driveway is the same width as Hillsdale Lane. Adding one house would make it three houses that access off the lane. He felt the current problem was due to decision made by Salt Lake County. He noted that JLF has come to the table regarding draininage issues and access to the utilities. He reported that there was a contract prepared if planning supports the proposal. There has been an agreement made with South Valley Sewer District to install an eight inch sewer main; a \$200,000 contribution. He reported that the only way to get sewer to Jennifer McAllen's, the Martin's and his own house would be off of his driveway. He felt the proposal would be more financially secure and a permanent fix or long term solution to the area. He hoped the planning commission would support the proposal. He declared that contributions won't happen if the lot cannot be split.

Jeff Fowler, 14321 Hillsdale Lane, represented Jennifer Painter-McAllen. She sits at the top of Hillsdale Lane and was opposed to paving the road. She would like to see the free standing building moved so it would be away from her lot. Mr. Fowler felt that he and his neighbors stood united regarding the drainage issues. He was not in favor of paving the road. He would like to see cleanup of the property to the south. He reported that chemicals and debris had been dumped on that property. He felt the proposal was not the solution. He asked that the commission consider the ownership of the roads and the neighborhood as a whole. He informed the commission that there would be a cost to some of the neighbors to help with this investment.

Angie Martin, 6307 W. 14300 S., reported that none of the homes were here when she originally bought her home. When the homes were built they added 15 feet of dirt which caused a drainage problem on the lots. The road was then lifted up about four feet higher. Ms. Davis' solution would be to raise the road which would make it so only two feet of her fence would be poking out of the ground. She mentioned that it would be a safety issue for her house (with snow drifts or any one riding a bike along the road). She doesn't want the road to be

paved or raised. If the road gets raised then she would live in a pit (all surrounding properties would drain to her home). An additional concern was being able to make the turn to get hay to her property with her trailer. It was her understanding that the road should be at least 20 feet. If the retaining wall is installed she would be worried about making that turn. She was also concerned with room for all the utilities coming up the road. She was told that they'd be hooked up to the sewer but now it's only going to be stubbed. She had been promised that the fence would be taken down. She asked about the difference between A.25 and A-2. Chair Smith explained that A-2 was a zoning in the county. She reported that A.25 only allows four horses but she was previously allwed to have ten horses.

8:29:23 PM Chair Smith closed the public hearing.

Ms. Davis (representing applicant) expressed that many of the concerns expressed by Ms. Martin were not due to her development. She outlined the benefits that Ms. Martin would receive if the development was approved.

Chair Smith turned time to the commission for further discussion. Commissioner Adam Jacobson commented not knowing how they could approve the proposal because it is against current city ordinance. Chair Smith realized that the area had issues and felt that there could be benefits if the proposal could move forward. However, the ordinance that is currently in place prevents them from allowing the proposal. Commissioner Blayde Hamilton felt the area is a tough area and felt that it could be cleaned up, however he too did not want to go against the ordinance. Commissioner Chris Berbert commented that it is difficult to look at the situation and reflect back to the ordinance but the ordinance does need to be enforced.

Commissioner Adam Jacobson MOVED to deny the item.

Commissioner Chris Berbert **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton Yes
Commissioner Chris Berbert Yes
Commissioner Adam Jacobson Yes
Chair Clint Smith Yes

Vote passed.

Motion carried.

2.10 <u>8:36:50 PM</u> **20S14** – RDM Land & Development – 6769 W 14600 S – Proposed Approval of the CCR's for The Ridge Subdivision

City Planner, Bryn McCarty oriented the commission with the location of the proposal. The CCR's needed final approval. The commission can approve or send them back to make changes. The applicant was not present. She reminded the commission of some of their concerns. Commissioner Adam Jacobson asked for staff to check on the Cove issues previously addressed. Chair Smith wanted there to be compatibility to the Cove CCR's. The primary change was 4.6 and 6.4 to recommend the fence. Commissioner Chris Berbert wondered if allowing the exterior would change the ordinance. Chair Smith explained that if the applicant felt they have an argument they can provide the documentation to the commission and be present in the meeting to provide that information. Commissioner Chris Berbert stated that the ordinance would need to be changed for this product type if the desire was to match the CCR's.

Commissioner Blayde Hamilton **MOVED** to continue the item with no date with recommendations from staff.

Commissioner Adam Jacobson **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton Yes
Commissioner Chris Berbert Yes

Vote passed. Motion carried.

3. New Items of Subsequent Consideration:

None

4. Future Meetings:

- 4.1 Planning Commission Meeting Thursday, January 7, 2016 @ 7:00 PM
- 4.2 City Council Meeting Wednesday, January 13, 2016 @ 7:00 PM

5. **ADJOURNMENT:**

Chair Clint Smith called for a motion to adjourn.

Commissioner Chris Berbert **MOVED** to adjourn the meeting and Commissioner Adam Jacobson **SECONDED** the motion. The voting was unanimous. Motion carried.

The meeting adjourned at 8:43:00 PM.

I, Cindy Quick, Deputy Recorder of Herriman City hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on December 17, 2015. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.

Cindy Quick, CMC Deputy Recorder